✓ [illegible]

G.R.S. IX—5]

Previous references.

1922.

(Muni)

File No. 174-22

Serial Nos. 244

Later references.

Rl 174-22 83647

GENERAL AND REVENUE SECRETARIAT.

✓

Serial Nos. 244

Part B for July 23

SUBJECT

Amendment to rule 14 (C) of the Davanagere Town Mcl re. the levy of toll on Vehicles & animals etc.

---

4. To

The Dy. Commr.
Chitaldrug Dt.

No. L. 667 d/ 23.7.23

Sanctions the proposed substitution of rule 167 of the M.A.R. for condition no. 14 C in the appendix to the order d/ 21.3.23 issuing instructions for the working of the auction sales of the L. F. & Mcl toll gates fees and market fees.

G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

1913-14
(Education)

File No. 138-13

Serial Nos. 1 & 2

Papers Filed.

~~Month~~ October 1913

SUBJECT.

Petition of Gurumurtyachar, Sravanabelagola for help to prosecute studies

---

PREVIOUS REFERENCES.	LATER REFERENCES.
	Edn 26 - No. [illegible]

[illegible]
15-12-13

G. R. S. 1 1922.

GENERAL AND REVENUE SECRETARIAT.

(Mul)

NOTES.

File No. 174-22

FILE HEADING.

Levy of tolls in Municipalities

From

The Dep. Commr. Chitaldrug Dt

No. C261 Dated 28·5·22 Received 5-6-23 / 4-7.

Diary No. 6162 Encloe. Spare Copies. Serial No. 2

BRIEF ABSTRACT OF LETTER.

Forwards for orders · letter from the President of the Davangere Tml C l proposing the substitution of rule No 169 of the Account Manual for clause (c) of ~~form~~ rule 14 of the notification approved in G.O. No L 643757/R 243-23

NOTES AND ORDERS.

No. C26(?) 12·6·23 from the same officer requesting early orders re: the proposal made above.

The M. Cl propose that in place of Condition 14 (c) in the form of sale notification approved in G.O. [illegible] 24·3·23 the provision of r. 169 of the Mys Account Manual may be

Notes—First Sheet.

(2

General and Revenue Secretariat.

Tol File No. 174 of 1922

Serial No.

Substituted. The rule in the Account Manual runs as follows -

No more than one payment of toll shall be demanded at any toll bar gate, or station in respect of any vehicle or animal in any one period 24 hours counted from sunrise to sunris Provided that when toll has been pai at any toll bar, gate or station in respect of any vehicle or animal no laden or ridden, the difference betwee such toll & the toll payable in respec of such vehicle or animal shall be payable, if such vehicle or animal passes through such toll bar gat laden or ridden within such period.

While the condition in 14.c) approv in (G O dt 21.3.22) is to the following effect

No toll shall be levied afresh on any cart etc., passing along the toll gate if within a period of 24 hrs computing from sunrise to sunrise, a toll has been collected thereon at a toll gate in the Mysore State or a tollgate in British India in respect of which the Government have conc

NOTE—Contn: sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Tr File No. 1714 of 1922

Serial No.

reciprocity for exemption in consultation with the British authori
The provision of the rules & the condition are identical. The President's letter is not clear as to how the proposed substitution will be advantageous to the Municipal Council
Subd for orders.

~~The~~ Both the rules referred to are not identical. The rule in the Munl Account Manual refers to the levy of tolls at ~~the~~ one & the same toll gates. The latter refers to the levy at different toll gates of toll gates in a single municipality.
~~The representation of the Chikballapur Munl Council deserves favourable~~
consideration

HKK
4 7 1923

On the reference relating to the proposed levy of tolls by the Chikballapur Munl Cl 1st Member of Council has been pleased to record the following Minute on 4.7.1923

"At present tolls affect through traffic badly

It may be suggested to the

5274
Ml 69-22-59

NOTE—Contn. sheet.

6Vb
146

R. S. III-2]

General and Revenue
Secretariat.

Ml File No. 174 of 1922

Serial No.

the Municipal Council the advisability of framing a rule to the effect that if toll has been paid on a vehicle or animal and within 24 hours of the entry within the Municipal limit in any part of Mysore, no further toll will be ~~paid~~ levied by the Municipal Council.")

HK
9-7-1923

(First Member) For orders

13.7.23

408
13/7/23

There is no doubt a difference [illegible]
Municipal Account Code rule & Municipal Act
the ~~latter~~ former ~~[illegible]~~ contemplates the
[illegible] on the - the latter does not i.e.
it makes no provision for a
difference between the two - the proposal
be sanctioned?

14/7

Draft ~~[illegible]~~ 14.7.23
Draft fd is put up for appr

HK
-23

G. R. S. III-21

General and Revenue Secretariat.

Ml **File No.** 174 **of 1922**

Serial No.	
	Issue the draft at once CJ 23.7.23
4	To Depty Commr, Chitdg dt No L 667 d 23.7.23 Sanction the proposed substitution of rule 169 of the M. A. M. for condition No 14 C in the appendix to the order dated 21.3.23, issuing instructions for the working of the auction sales of the L. Funds Ml. Toll gates fer. and market fees

NOTE—Contn. sheet.

C 261 M. 22-23

2111

Office of the Deputy Commissioner,
Chitaldrug District.
Dated Chitaldrug, 21st July 1923.

From

POSTS & TELEGRAPHS.

23.7.23. 83

NOTICE

Class of this Telegram

Charges to pay.		Office Stamp.
Rs.	As.	

Handed in at (Office of Origin).	Date.	Hour.	Minute.	Service Instructions.	Words.

Recd. here at H. M.

N. B.—The name of the Sender, if telegraphed, is written after the text.

No. 6387
174-22
Secy.
4/7/23

From

To

Dated

Despatched

Received

General No

No

Enclosure No.

261 Ml-22-23
Rec

41237

Office of the Deputy Commis
Chitaldrug District,
Dated, Chitaldrug,29th May 1923.

2

From

R.Hanasamy Rao, Esquire,
Offg. Deputy Commissioner, Chitaldrug District, 6112-22
Chitaldrug.

To

T.R.Jayaram Iyer, Esquire, B.A.,B.L.,
Secretary to Government, Revenue Department,
Bangalore. Ml 174-22 -2

Sir,

In forwarding herewith in original the letter No. 964 dated he 25th May 1923 with its 2 enclosures addressed direct to you, rom the President,Town Municipal Council, Davangere,proposing ertain amendment to the Rule 14 (C) laid down in Government Drder No. L.6437-57/Ml. 174-22-1 dated the 21st March 1923 Re: the levy of Toll on vehicles and animals &c., I have the honour to observe that Rule 14 (C) referred to above appears to relate to Trhough Traffic only and it is seen from the enclosed sale notification that the Municipal Council Davangere intended to levy Toll on Incoming Traffic and as such I do not think that the Municipal Council is prevented by Rule 14 (C) from levying fresh Toll on carts when they enter into their Municipal limits and intend to halt in the Town.

I request that needful orders may be kindly passed in the matter.

I have the honour to be,
Sir,
Your most obedient servant,
C Ramachandra Rao
for Deputy Commissioner,
Chitaldrug District.
(absent from Hd. quarters)

Dep. Commr's interpretation seems correct. ~~He~~ He may perhaps be asked inform the Municipality accordingly

Tolls can be levied only when enter the Mpl limits & not when they town under the Regulation. No dis-
can made ~~[illegible]~~ between carts that through & those that intend to halt in the town.
~~[illegible]~~ approval of under ~~rule~~ 14(c) will ~~[illegible]~~ work as a hardship to people the recommendation ~~cannot~~ perhaps be approved

Deputy Commissioner's Office,
CHITALDROOG DIST.
Date 29/5/23 Section Muni Cl.
No. 2465 95-

E 261 Mun-23 — 28/5/23

19

From
The President,
Town Municipality,
Davangere.

To
The Revenue Secretary,
the Government of
Mysore
Bangalore.

Through
The Deputy Commissioner
Chitaldrug.

Dated 25 5.23

Despatched

Received

General No. Mun 964

No.

Enclosure No. 2

Sir,

I have the honour to state that in accordance with the Government order No. L.6437-57/Ml.174-2 dated 21st March 1923 the notifica-tion of sale of right to collect Tolls in this Municipality during 1923-24 was prepared and the same was published in the Mysore Gazette fixing the date of sale to the 23rd instant. The sale was conducted on the date fixed for the same and the bid did not go beyond R^s 13000/-. As there was a heavy fall in the reve as compared with present year's con-tract amount viz. R^s 18085/- the bi was not knocked down. It was le that this large decrease was du the condition laid down in cl u of para 14 of the notification. subject was therefore placed before the Council meeting held on this day

[illegible]

may be requested to delete the said clause and to introduce in its place rule 169 of the municipal Account Manual. A copy of the resolution is herein enclosed together with a copy of sale notification for kind information. The Members were also of opinion that the time limit laid down in the Government order mentioned above was likely to be made use of by unscrupulous contractors to gain their own ends and that there was every likelihood of their not noting the proper hour and date in the receipts given for the payment of the toll in another place.

I, therefore, request you to kindly obtain sanction of Government in the matter of altering the clause (c) of para 14 of the notification as resolved by the Council in the interests of Municipal Revenue. The orders of Government may kindly be obtained at a very early date as the sale has to be held before the end of the current Official year after allowing sufficient time for wide publicity.

I have the honour to be,

SIR,

Your most obedient servant,

25/5/23

PRESIDENT,

Davangere Town Municipality.

25/5/23

Proceedings of the ordinary meeting of the Davangere Town Municipal Council held on. 25 - 5 -.1923

President-

M. Chinnaraja rao Esquire B.A; LL.B.
Present.

Vice- President-

Mr. T. M. Onkarappiah Absent-

Present-		Absent-
	Ex- officio members.	
Nil		2
	Non- official members	
8		6.

Subject No. XXXV Re:- the sale of Toll for 1923-24 conducted on 23-5-1923. There were no bids beyond Rs 13000/-. As such the final bid was not knocked down

Resolution

Many carts come to this Municipality from Harihar which is only 9 miles from Davangere. In case the recent Government order is given effect to no toll should be levied in this Municipality on carts coming from Harihar or through it. So there was only a bid of Rs 13000/- this year in lieu of the bid of Rs 18025/- for the last year. The council therefore resolved that, in view of the large decrease in the toll revenue of this Municipality and the malpractices that may be practiced by the contractors. Government may be requested to delete clause (c) of para 14 of Government order No. L. 6437-57- Ml. 174-22-1 dated 21-3-1923 and that in its place the condition laid down in Rule 169 of the Municipal Account Manual may be introduced.

(Sd) M. Channaraja Urs
President
25-5-23.

"Copy"

For President
Town Municipality
Davangere
25-5-23.

DAVANGERE TOWN MUNICIPALITY.

Notification.

The right to collect tolls at the toll-gates as noted in Schedules A and B during the official year 1923-24, will be sold by public auction at the places and on the dates specified against each gate.

2. Persons intending to bid at the sale must attend in person or by a duly accredited agent. Every such person should deposit beforehand an amount equal to one-sixth of the contract amount for the previous year as shown in Schedule A, as earnest money. The deposits of all the bidders except the first two or three whose bids are to be recommended for acceptance will be returned at the close of the sale. The deposit of the successful bidder who will be called the contractor will be returned only on fulfilment of the contract. The deposits of the remaining bidders will be returned soon after the confirmation of the sale.

3. The sale will not become absolute until confirmed by the authority noted in Schedule A who reserves the final power of refusing or accepting without assigning any reason whatever, the highest or any bid that may be offered.

4. The contractor shall within fifteen days of the receipt of information of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and to be subject to the penalties, forfeitures and liabilities referred to therein and shall furnish, if he does not hold property in Mysore, at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract.

5. The contract shall not be transferred by sale, gift or otherwise or sub-leased without the previous sanction of the Municipal Council.

6. The contract amount shall be paid in twelve equal monthly instalments in advance on the 1st day of every month into the Municipal Office.

7. The contractor shall have no claim to the fees recovered from persons compounding the payment of toll in accordance with the Standing Rules and Orders approved by Government. He shall also pay along with the instalments, the authorised Local Railway and Educational Cesses, if any, at the prescribed rates.

8. Interest at 9 per cent per annum shall be levied on all overdue amounts still date of payment.

9. The contractor shall collect tolls only at the rates and at the gates on the traffic specified in Schedules A and B.

10. The contractor shall give to the person paying the toll a proper receipt showing the date and hour of payment of toll.

11. The contractor shall keep at the toll-gate, true accounts of the daily collections and of the traffic passing through the toll-gate. These accounts shall be open to the inspection of the Municipal President. He shall, if required by the Municipal President, furnish to the office at the end of every month, a true return for the month showing the traffic passing through the gate in the prescribed form.

12. The contractor will have the use of the existing toll-house and gate without payment of any rent, and he should keep them in good repair, failing which, the cost of repair will be recovered from him. If any toll-gate or house is required, it will be put up at the cost of the Municipal Council.

13. The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatever.

14. The contractor shall conform generally to the rules published in the late Chief Commissioner's Notification No. 274, dated 4th November 1876, and the rules issued under the Local Boards and Village Panchayets Regulation or the rules framed by the Municipal Council under the Municipal Regulation. He shall recognize all exemptions made by the statute or rules in force for the time being. He shall pay special attention to the following points:—

(*a*) A table of authorized tolls shall be legibly written in English and Kannada and shall be put up in a conspicuous place near toll-gate.

(*b*) Animals drawing any vehicles for which tolls can be demanded are not also to be charged with toll.

(*c*) No toll shall be levied afresh on any cart, etc., passing along the toll-gate if within a period of 24 hours computing from sunrise to sunrise, a toll has been collected thereon at a toll-gate in the Mysore State or a toll-gate in British India in respect of which the Government have secured reciprocity for exemption in consultation with the British authorities.

(*d*) Carts laden with bone or other substance as manure shall be treated as unladen and tolled accordingly.

(*e*) No toll shall be levied on foot passengers.

(*f*) No tolls shall be levied for the passage of Troops or Military Stores or equipages or of Police Officers on duty of any person or property in their custody or of any property *bona fide* belonging to Government as established, where proof is required by the production of a pass or certificate from any officer of the department to which the property belongs, authorised by the Deputy Commissioner or by Government to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll-gate passed before the cart, carriage, or animal, conveying such property reaches the destination noted in such pass or certificate.

(*g*) No toll shall be levied for the passage of traffic, cars, animals, etc.

(1) Belonging to the Municipal Council.

(2) Conveying Municipal servants on duty or property in the custody of such servants.

(3) Licensed by the Municipal Council.

(4) Assessed by the Municipal Council to Municipal taxation provided the tax has been paid in advance.

(5) Possessed by a person who has compounded with the Municipal Council prescribed sum in accordance with the rules approved by Government.

(6) Engaged by the Postal Department to convey mails.

(7) Belonging to the Hon'ble the British Resident in Mysore.

(8) Belonging to Government servants travelling on duty who are certified by their respective immediate superiors as being not entitled to travelling allowance.

(9) Belonging to His Highness the Maharaja or His Highness the Yuvaraja.

15. Any breach of the above conditions or rules on the part of the contractor or his servants will entitle the forfeiture of the deposit or the levy of a fine not exceeding Rs 50 for each infringement. If the fine be not paid or in the event of instalments or other sums due are not paid within the prescribed date, it shall be competent to the President to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a resale or otherwise. The sale will be held at the risk of the defaulting contractor who shall be liable to make good all losses accruing, but shall not be entitled to any profits arising from the resale.

16. The imposition of fine or resale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

M. CHENNARAJA URS,
President.

SCHEDULE A.

1.	Name of toll-gate	Davangere Town Municipal toll-gates.
2.	Situation of the gate	On the Town limits.
3.	Whether toll is to be levied on through traffic, incoming traffic, or outgoing traffic.	Incoming traffic.
4.	Traffic specially exempted from payment of toll on account of the peculiar situation of the toll-gate or the special requirements to the people near the toll-gate	Nil.
5.	Amount of deposit required	Rs. 3,005.
6.	Place of sale	Chamarajendra Memorial Hall Davangere.
7.	Date of sale	23rd May 1923. 1 P.M
8.	Officer conducting the sale	The President, Town Municipal Council, Davangere.
9.	Officer confirming the sale ...	The Municipal Council, Davangere.
10.	Remarks.	

SCHEDULE B.

Details of traffic.	*Rate.*
Every laden cart or carriage	0 4 0
Every empty do	0 2 0

N.B.—Carts carrying firewood, fodder and thatch should be treated as unladen for the purpose of levying tolls.

G. R. S. VI (4-34)

SUBJECT .... all

Diary No. of letter replied to 6162 X

Section ML

File No. 174-22

Serial No.

General and Revenue Secretariat

(Ldg)

, *the* 192

Proceedings of the Government of
His Highness the Maharaja of Mysore.

Date of issue 23/7/23

Signed by

Read—G.O. No. L 6437-57 ML 174-22 dated the 21st Mar 1923 issuing instructions in regard to the working of auction sales in respect of Local Fund and Municipal tolls and market fees.

2. Letter No. C 261 ML 22-23 dated the 29th May 1923 from the Deputy Commissioner, Chitaldrug Dist. requesting sanction for substituting Rule 169 of the Municipal Account Manual to cover item 14 (e) in appendix to the order of the 21st March 1923 read above with reference to the Toll-Gates established

~~Order Thereon~~ No.

May this be

Printed ?

ii treated as a standing order ?

iii published in the Gazette,
English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette,
Kannada Part ?

by the Town Munl council
of Davangere, as amended
by the Munl Council

Order No L 667 dt 23-7-23

Sanctioned. The proposal
of the Davangere Munl
Council is sanctioned

23.7.23
for Secretary to Govt
Revenue Dept

23.7.1923

To The Dy Comr, Chitaldroog Dist

List of enclosures.

Copied by

Examined by